

REMARKS

This paper is submitted in response to the pending Office Action mailed on July 26, 2010. Because this Response is submitted with a certificate of submission in compliance with 37 C.F.R. §1.8 on or before the shortened period for reply set to expire on **October 26, 2010**, this Response is timely filed.

I. STATUS OF THE CLAIMS

Prior to this Response, claims 1 and 3 to 31 were pending and at issue. By this Response, claim 27 has been amended, none of the pending claims have been canceled and no new claims have been added. Thus, claims 1 and 3 to 31 remain pending and at issue. Applicant submits that the amendment to claim 27 is made to comply with the USPTO's interpretation of judicial precedents and not to address an prior art-based rejection.

While Applicants believe that no additional fees are due in connection with this application, Applicants direct the Office to charge **Deposit Account No. 23-1925 (11828.00003)** for any fees deemed owed during the pendency of this application, excluding the issue fee.

II. CLAIM REJECTIONS

The Office Action indicates claims 1 and 3 to 26 to be allowed over the prior art of record.

The Office Action rejects claims 27 to 31 under 35 U.S.C. §101 as directed to non-statutory subject matter. Applicants submit that amendment to claim 27 to positively recite a non-transitory computer readable medium satisfies and overcomes the pending non-statutory subject matter rejections. Accordingly, Applicant submits that pending claims 27 to 31 are now in condition for allowance.

III. CONCLUSION

For the foregoing reasons, Applicant respectfully requests withdrawal of the pending rejections and submits that the above-identified patent application is now in condition for allowance and earnestly solicits reconsideration of same. The

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Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting prosecution of this application.

Respectfully submitted,
BRINKS HOFER GILSON & LIONE

Dated: **October 25, 2010**

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